

# Cayman Islands Paralegal Certificate Program



**Micro Matrix**  
PO Box 32066 SMB  
Grand Cayman, KY1-1208  
[www.cayamparalegal.ky](http://www.cayamparalegal.ky)  
Ph: 623-4600

The paralegal profession has grown tremendously since it first appeared in the mid-1960's. There are now more than 120,000 paralegals in the United States alone. Presently, paralegals are involved in sophisticated legal work in traditional law office settings and in the corporate, government, and public arenas. The occupation has achieved recognition and has moved rapidly to professional stature.

Obtaining a quality paralegal education is the best way to prepare for the paralegal profession. This 7 month program is web-based and as an option class option that prepares students for an entry-level paralegal position or advances your existing skills in the legal profession. Students will be paired with an instructor for one-on-one assistance.

Micro Matrix provides all paralegal students with free access to Westlaw to complete their assigned research projects! Westlaw is an online legal research service that provides fast and easy access to an extensive collection of legal resources, news, business, and public records information. Students taking the paralegal course will benefit tremendously as they perform their legal research course assignments at the #1 rated online legal resource.

This training program is designed to provide the skills and knowledge necessary to both gain employment and successfully complete the intensive 7 month course. Upon registering, you are given a username/password to access the website and have weekly reading assignments and papers that are due.

While some paralegals train on the job, employers increasingly prefer graduates of postsecondary paralegal education programs; college graduates who have taken some paralegal courses are especially in demand in some markets.

Paralegals are projected to grow faster than average, as law offices try to reduce costs by assigning them tasks formerly carried out by lawyers. Paralegals are employed by law firms, corporate legal departments, and various government offices and they may specialize in many different areas of the law.

## **Nature of the Work**

While lawyers assume ultimate responsibility for legal work, they often delegate many of their tasks to paralegals. In fact, paralegals—also called legal assistants—continue to assume a growing range of tasks in the Nation's legal offices and perform many of the same tasks as lawyers. Nevertheless, they are still explicitly prohibited from carrying out duties which are considered to be the practice of law, such as setting legal fees, giving legal advice, and presenting cases in court.

One of a paralegal's most important tasks is helping lawyers prepare for closings, hearings, trials, and corporate meetings. Paralegals investigate the facts of cases and ensure that all relevant information is considered. They also identify appropriate laws, judicial decisions, legal articles, and other materials that are relevant to assigned cases. After they analyze and organize the information, paralegals may prepare written reports that attorneys use in determining how cases should be handled. Should attorneys decide to file lawsuits on behalf of clients, paralegals may help prepare the legal arguments, draft pleadings and motions to be filed with the court, obtain affidavits, and assist attorneys during trials. Paralegals also

organize and track files of all important case documents and make them available and easily accessible to attorneys.

In addition to this preparatory work, paralegals also perform a number of other vital functions. For example, they help draft contracts, mortgages, separation agreements, and trust instruments. They also may assist in preparing tax returns and planning estates. Some paralegals coordinate the activities of other law office employees and maintain financial office records. Various additional tasks may differ, depending on the employer.

Paralegals are found in all types of organizations, but most are employed by law firms, corporate legal departments, and various government offices. In these organizations, they can work in many different areas of the law, including litigation, personal injury, corporate law, criminal law, employee benefits, intellectual property, labor law, bankruptcy, immigration, family law, and real estate. As the law has become more complex, paralegals have responded by becoming more specialized. Within specialties, functions often are broken down further so that paralegals may deal with a specific area. For example, paralegals specializing in labor law may deal exclusively with employee benefits.

The duties of paralegals also differ widely based on the type of organization in which they are employed. Paralegals who work for corporations often assist attorneys with employee contracts, shareholder agreements, stock-option plans, and employee benefit plans. They also may help prepare and file annual financial reports, maintain corporate minute books and record resolutions, and prepare forms to secure loans for the corporation. Paralegals often monitor and review government regulations to ensure that the corporation is aware of new requirements and it operates within the law.

The duties of paralegals who work in the public sector usually vary within each agency. In general, they analyze legal material for internal use, maintain reference files, conduct research for attorneys, and collect and analyze evidence for agency hearings. They may then prepare informative or explanatory material on laws, agency regulations, and agency policy for general use by the agency and the public. Paralegals employed in community legal-service projects help the poor, the aged, and others in need of legal assistance. They file forms, conduct research, prepare documents, and when authorized by law, may represent clients at administrative hearings.

Paralegals in small and medium-sized law firms usually perform a variety of duties that require a general knowledge of the law. For example, they may research judicial decisions on improper police arrests or help prepare a mortgage contract. Paralegals employed by large law firms, government agencies, and corporations, however, are more likely to specialize in one aspect of the law.

Computer use and technical knowledge has become essential to paralegal work. Computer software packages and the Internet are increasingly used to search legal literature stored in computer databases and on CD-ROM. In litigation involving many supporting documents, paralegals may use computer databases to retrieve, organize, and index various materials. Imaging software allows paralegals to scan documents directly into a database, while billing programs help them to track hours billed to clients. Computer software packages also may be used to perform tax computations and explore the consequences of possible tax strategies for clients. A highly trained paralegal is a great resource to any legal team.

# Major Areas of Focus

## Company Law

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This course is designed to provide our students with a basic understanding of the principles of the most significant laws pertaining to business organizations in the Cayman Islands. Examination of the company law as well as the Partnership law will be carried out.

This course provides the student with a basic understanding corporations, partnerships, sole proprietorships, as well as LLP's and LLC's, are compared and contrasted. Students form a theoretical corporation, and prepare a number of documents including Articles of Incorporation, Partnership Agreement, By-laws, Minutes, and Shareholder's Agreements.

The Company Law component of the course will deal with the individual characteristics of various business organizations, including publicly held and closely held corporations, general partnerships, sole proprietorships, limited liability partnerships and limited liability corporations. These various forms of business will be compared and contrasted to determine the advantages and disadvantages of creating and maintaining each form.

Students will become familiar with the laws governing the creation and operation of these various business entities, their dissolutions and liquidations, and their relationships to various categories of creditors and shareholders.

The course will focus on the various components including the lifting of the corporate veil, meaning of corporation in company law, concept of limited liability, directors and shareholder's rights and obligations.

A review of the company's winding up process is also covered. The winding up component of the course will acquaint our students with an understanding of the three most common forms. Certain practical matters to be covered will include the filing of bankruptcy petitions, motion practice in bankruptcy, the role and powers of the bankruptcy trustee, dischargeability of debts, reorganization of businesses, and the analysis and preparations of Statements and Schedules.

## Contract Law

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This course presents a comprehensive, well-organized, functional approach to the law of contracts. The students learn to analyze agreements and how to determine whether or not a contract has been formed, what law applies, whether the contract is enforceable, whether or not a party has breached, and, if so, what remedies are available to the aggrieved party. The approach is very practical, and

prepares the student for contract work in the legal, business, or government environment. An essential course.

## **Legal Research**

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Perhaps the most important skills of any paralegal are writing, analysis, and legal research. A skilled writer is an extremely valuable asset to any law office. This workshop-style course is designed to hone the student's writing and thinking skills by concentrating on basic principles of legal writing and analysis. Students learn to use powerful research tools, including online facilities from Westlaw and traditional book-based methods. Students prepare a variety of legal documents and research various issues. Results are reviewed by the instructor and other students in an online setting. This is one of the great advantages of online learning: the fostering of a community where students can easily share their work product and ideas with their fellow students.

## **Introduction to English Law**

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Introduction to English Law is an intensive course which is designed to introduce students to all the main aspects of the English Legal System and English Law. The course was the first ever LSE Summer School course and over the years has attracted students from all over the world from a wide range of backgrounds and experiences. Many participants are law students or prospective law students (either undergraduates or postgraduates) but the course is not restricted to those with a background in law and is specifically designed to be of wider interest to those from fields such as finance, government, media, administration and the social sciences generally. Includes a guide to English legal citations.

## **Introduction to Cayman Islands Court System**

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The Cayman Islands legal system has its foundations in English common law; this foundation has been supplement by a number of local statutes that have both changed and modernized the common law. Generally speaking common law, as opposed to civil or socialist law, is a type of legal system where legislation is continually evolving. Courts refine and create laws on a case-by-case basis. When resolving a legal dispute, in the ideal world, a common law court looks to precedents set by other courts. What this means is that when a court is resolving a dispute, it must look to see if a similar dispute was resolved in the past. If one has, then the present day court is obligated to following the same reasoning used in the prior case; this principle is called stare decisis. On the other hand, if the dispute is totally unique, the court may resolve the matter itself using general guidelines. This new decision then becomes the precedent to which all future cases are bound. Over the years, the precedents created by

past decisions coalesce into a complicated set of rules that apply to a wide array of case; this collection of rules is known as “common law”. Of course, common law systems are much more complex in practice, nevertheless the principle of stare decisis as described above, is the foundation of all common law systems. Students learn about e-filing documents in the Cayman Islands Court System, handling Gazettes, Cayman Islands Law Reports and the Grand Court Rules.

## **Criminal Law**

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The student is introduced to the basic concepts of criminal law, and is presented with some thought-provoking examples from the annals of the criminal justice system. Crimes against the person, crimes against property, legal defenses (such as the insanity defense), as well as the theory and history of criminal justice are presented together with a practical skills exploration of the criminal justice process. The student will understand the nature and purpose of substantive criminal law, distinguish between criminal and non-criminal offenses and define and differentiate among classifications of crimes.

## **Legal Document Preparation**

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As part of their day-to-day tasks, paralegals are asked to compose various types of written documents in addition to preparing legal pleadings. In order to write any type of legal correspondence or document effectively, a paralegal must have a working knowledge of legal reasoning and be able to apply that to the real world.

Using practical hypothetical fact scenarios, students will learn how to apply legal reasoning to a variety of writing assignments. The IRAC (issue, rule, application, and conclusion) method will be taught. Writing assignments include consumer demand letters, client correspondence, e-mail, a number of case briefs and several ways to summarize a deposition. In addition, students will write a reaction/opinion memorandum on interesting and topical precedential cases. Cases, a deposition, and statutes will be provided for the writing exercises. A refresher chapter on basic English grammar is also part of this course.

This course is designed to give the paralegal or paralegal student practice in and exposure to a significant number of real world writing exercises. Hypothetical fact scenarios illustrate common types of legal disputes in the areas of tort and contract law.

Whatever your goals, a grasp of English grammar is important if you want to improve your speaking and writing skills. This course will help you gain confidence in your ability to produce clean, grammatically correct work. You'll explore the basics of English grammar—like sentence structure and punctuation—as well as more sophisticated concepts—like logic and clarity. A patient instructor, memorable lessons, vivid examples, and interactive exercises will give you ample opportunity to put what you learn into practice. Reacquaint yourself with old, forgotten rules, meet some new ones, and discover your own grammatical strengths.

## **Ethics**

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Paralegals, like attorneys, must be knowledgeable of the rules of ethics. This course covers the basic principles governing the ethical practice of law for both lawyers and paralegals. Subjects explored include the unauthorized practice of law, conflicts of interest, confidentiality, paralegal-client relations, disciplinary procedures, fee splitting, billing, advertising, and misconduct in the law office.

## **Legal Terminology**

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Students of the law are often initially overwhelmed by the prevalence of legal jargon known as legalese. The legal profession, perhaps more than any other, uses a vocabulary that is incomprehensible to the uninitiated.

This course is designed to quickly educate the student to be familiar with the basic terminology of the legal profession. The course is divided into modules, each of which is dedicated to one area of the law. Modules include real estate, probate, litigation, bankruptcy, and criminal and tort law. In each module, the student learns the meaning and use of the common legal terms in that area of the law. If you have ever wondered what it means to move for summary judgment, if you don't know the difference between a mortgagor and a mortgagee, if a writ of habeas corpus means no more to you than res judicata then this course is for you!

## **Torts**

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One of the most important fields of paralegal employment, the law of torts and negligence, is examined in detail. The student is educated to understand the basic theory of tort law, and the process by which negligence cases are developed in preparation for settlement or trial. Subjects covered include evaluating liability, injuries and damages.